	Application No.	Applicant(s)
Notice of Allowability	10/028,471	MOORE, RAYMOND
	Examiner	Art Unit
	Neveen Abel-Jalil	2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *6/14/2006*.

2. ☒ The allowed claim(s) is/are *1, 3-6, 10-16, 18-19, 22-23, 26-27, & 29-39*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .
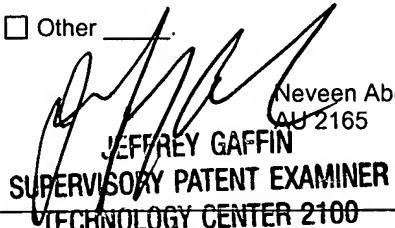
Neveen Abel-Jalil
AU 2165

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Remarks

1.   The After-Final Amendment filed on 14-June-2006 has been received and entered.

Claims 2, 7-9, 17, 20-21, 24-25, and 28 have been cancelled. Therefore, 1, 3-6, 10-16, 18-19,

22-23, 26-27, and 29-39 are now pending.

EXAMINER'S AMENDMENT

2.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Mr. Patrick M. Boucher on July 5, 2006 (Attorney of Record).

Amendments to the Claims:

3.   The claims has been amended as follows:

Replace claim 1 with the following:

Claim 1 (Currently Amended): A method for characterizing market distribution of for a

business, the method comprising:

determining a location of for each of a plurality of business representatives comprised by the business and situated at different geographical locations to provide sales of the business's products;

determining a location of for each of a plurality of competitor representatives comprised by one or more competitors and situated at different geographical locations to provide sales of competitor products, wherein each of the one or more competitors competes for sales of products with the business;

populating at least one database with the locations of for the business representatives and the locations of for the competitor representatives;

from location information in the at least one populated database, calculating a probability that quantifies a level of competition to the business for sales of the business's products, the competition being provided by the one or more competitors providing sales of the competitor products, and the level of competition being quantified in terms of a distance measure between the business and competitor representatives;

correlating the quantified level of competition with demographic data corresponding to the location information in the at least one populated database; and

outputting the quantified level of competition.

Replace claim 3 with the following:

Claim 3 (Currently Amended): The method recited in claim 1 wherein

determining the location of for each of the plurality of competitor representatives

comprises accessing an representative locator service on an internet web site of for the one or

more competitors.

Replace claim 15 with the following:

Claim 15 (Currently Amended): The method recited in claim 13, wherein the at least one

database includes product information of for the business representatives and of for the

competitor representatives, the method further comprising displaying the product information of

for at least one of the locations.

Replace claim 16 with the following:

Claim 16 (Currently Amended): A computer-readable storage medium having a

computer-readable program embodied therein to direct for directing operation of a computer

system including a communications system, a processor, and a storage device, wherein the

computer readable program includes instructions to operate for operating the computer system to

characterize market distribution of for a business in accordance with the following:

maintaining at least one database on the storage device to store a location of for each

of a plurality of business representatives comprised by the business and situated at different

geographical locations to provide sales of the business's products, and to store a location of for

each of a plurality of competitor representatives comprised by one or more competitors and

situated at different geographical locations to provide sales of competitor products, wherein each

of the one or more competitors competes for sales of products with the business;

from location information in the at least one database, calculating a probability with the

processor that quantifies a level of competition to the business for sales of the business's

products, the competition being provided by the one or more competitors providing sales of the

competitor products, and the level of competition being quantified in terms of a distance measure

between the business and competitor representatives;

correlating, with the processor, the quantified level of competition with demographic data

corresponding to the location information in the at least one database; and

<u>outputting the quantified level of competition.</u>

Replace claim 18 with the following:

Claim 18 (Currently Amended): The computer-readable storage medium recited in claim

16 wherein the computer-readable program further includes instructions <u>to determine</u> ~~for~~

~~determining~~ the location <u>of</u> ~~for~~ each of the plurality of competitor representatives by accessing an

representative-locator service with the communications system on an internet web sited <u>of</u> ~~for~~ the

one or more competitors.

Replace claim 19 with the following:

Claim 19 (Currently Amended): The computer-readable storage medium as recited in

claim 16 wherein the computer-readable program further includes instructions <u>to determine</u> ~~for~~

~~determining~~ the location <u>of</u> ~~for~~ each of the plurality of competitor representatives by accessing a

publicly available source identifying transactions performed by the competitor representatives.

Replace claim 22 with the following:

Claim 22 (Currently Amended): The computer-readable storage medium recited in claim 16 wherein the computer-readable program further includes instructions to operate ~~for operating~~ the processor to apply a filter criterion to the correlated data to characterize geographic divisions within the demographic data by market penetration.

Replace claim 23 with the following:

Claim 23 (Currently Amended): The computer-readable storage medium recited in claim 22 wherein the computer-readable program further includes instructions to ~~for~~:

generating a graphical representation of the locations according to the geographic divisions, the graphical representation including a distinction among the geographic divisions according to the filter criterion; and

transmitting the graphical representation over the communication system.

Replace claim 26 with the following:

Claim 26 (Currently Amended): A computer system comprising:

a communications system;

a storage device;

a processor in communication with the communications system and the storage device; and

a memory coupled with the processor, the memory comprising a computer readable

storage medium having a computer-readable program embodied therein to operate for operating

the computer system to characterize market distribution of for a business, the computer-readable

program including:

instructions to maintain for maintaining at least one database on the storage device to

store a location of for each of a plurality of business representatives comprised by the business

and situated at different geographical locations to provide sales of the business's products, and to

store a location of for each of a plurality of competitor representatives comprised by one or more

competitors and situated at different geographical locations to provide sales of competitor

products, wherein each of the one or more competitors competes for sales of products with the

business;

instructions to calculate for calculating, from location information in the at least one

database, a probability that quantifies a level of competition to the business for sales of the

business's products, the competition being provided by the one or more competitors providing

sales of the competitor products, and the level of competition being quantified in terms of a

distance measure between the business and competitor representatives; and

instructions to correlate for correlating the quantified level of competition with

demographic data corresponding to the location information in the at least one database.

Replace claim 27 with the following:

Claim 27 (Currently Amended): The computer system recited in claim 26 wherein the

computer readable program further includes instructions to determine for determining the

location of each of the plurality of competitor representatives by accessing an representative-

locator service with the communications system on an internet web site of for the one or more

competitors.

Replace claim 29 with the following:

Claim 29 (Currently Amended): The computer system recited in claim 26 wherein the

computer-readable program further includes instructions to operate for operating the processor to

apply a filter criterion to the correlated data to characterize geographic divisions within the

demographic data by market penetration.

Replace claim 30 with the following:

Claim 30 (Currently Amended): The computer system recited in claim 26 wherein the

memory further comprises a second computer-readable storage medium having a second

computer readable program embodied therein to operate for operating the computer system to

populate the at least one database, the second computer-readable program including:

instructions to access for accessing a representative-locator service maintained by the one

or more competitors at an internet web site;

instructions to extract for extracting location information for the plurality of competitor

representatives from the representative-locator service; and

instructions to store for storing the location information in the at least one database.

Replace claim 34 with the following:

Claim 34 (Currently Amended): The computer-readable storage medium recited in claim 16, wherein the instructions to calculate for calculating the probability that quantifies the level of competition comprise instructions to calculate for calculating a probability that at least one of the competitor representatives exists within a predetermined distance of each business representative.

Replace claim 35 with the following:

Claim 35 (Currently Amended): The computer-readable storage medium recited in claim 16, wherein the instructions to calculate for calculating the probability that quantifies the level of competition comprise instructions to calculate for calculating a probability that at least one of the business representatives exists within a predetermined distance of each competitor representative.

Replace claim 36 with the following:

Claim 36 (Currently Amended): The computer-readable storage medium recited in claim 16, wherein the instructions to calculate for calculating the probability that quantifies the level of competition comprise instructions to calculate for calculating a probability that any of the competitor representatives exists within a predetermined distance of any of the business representatives.

Replace claim 37 with the following:

Claim 37 (Currently Amended): The computer system recited in claim 26, wherein instructions to calculate for calculating the probability that quantifies the level of competition comprise instructions to calculate for calculating a probability that at least one of the competitor representatives exists within a predetermined distance of each business representative.

Replace claim 38 with the following:

Claim 38 (Currently Amended): The computer system recited in claim 26, wherein the instructions to calculate for calculating the probability that quantifies the level of competition comprise instructions to calculate for calculating a probability that at least one of the business representatives exists within a predetermined distance of each competitor representative.

Replace claim 39 with the following:

Claim 39 (Currently Amended): The computer system recited in claim 26, wherein the instructions to calculate for calculating the probability that quantifies the level of competition comprise instructions to calculate for calculating a probability that any of the competitor representatives exists within a predetermined distance of any of the business representatives.

Allowance

4.   Claims 1, 3-6, 10-16, 18-19, 22-23, 26-27, and 29-39 are allowed over the prior art made of record.

5.   Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074.

The examiner can normally be reached on 8:30AM-5:30PM EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
July 5, 2006